IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE FIRST DAY OF JULY

TWO THOUSAND AND FIVE

PRESENT

**THE HON'BLE MR JUSTICE V.V.S.RAO**

**WRIT PETITION NO : 10129 of 2001**

Between:

M. Ram Reddy S/o M.Ananth Reddy
R/o Chittigadda, Nawabpet Mandal,
R.R. Dist.

**..... PETITIONER**

AND

-

1 The Deputy Commissioner of Prohibition & Excise

Hyderabad Division, Nampally, Hyderabad.
2 The Station House Officer Prohibition & Excise
Vikarabad, R.R. Dist.

**.....RESPONDENTS**

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in rejecting the applications for interim release of the Tractor with trailar bearing No.AP 28 T 1774 & 1775 respectively vide proceedings Cr.No.c6/1942 dt.19.5.2001 as illegal, arbitrary and violative of principles of natural justice and consequently direct the respondents to release the tractor with trailar bearing No.AP 28 T 1774 & 1775 respectively to the petitioner.

**Counsel for the Petitioner: Mr.M.Vishnu Vardhan Reddy**

**Counsel for Respondents: GP FOR PROHIBITION & EXCISE**

**The Court made the following :**

**ORDER:**

The petitioner is the owner of the Tractor with trailar bearing No. AP 28T 1774 & T 1775 respectively. The same was seized by the second respondent on the allegation that it was transporting toddy illegally to other toddy shops. The petitioner filed an application before the first respondent for interim custody/release of the vehicle, pending proceedings for confiscation. The same was rejected by impugned order dated 19.5.2001. Assailing which this writ petition is filed.

This court while admitting the writ petition passed interim orders directing release of the Tractor with Trailer on condition of the petitioner's depositing a sum of Rs.30,000/- with the first respondent and also give an undertaking not to alienate the vehicle. In that view of the matter nothing survives in this writ petition.

If the proceedings for confiscation are still pending before the first respondent, the same may be disposed of expeditiously. The Writ Petition, with the above observations, is accordingly disposed of. No costs.

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**V.V.S. RAO, J.**

1st July, 2005

Js

To

1 The Deputy Commissioner of Prohibition & Excise

Hyderabad Division, Nampally, Hyderabad.
2 The Station House Officer Prohibition & Excise
Vikarabad, R.R. Dist.

3 Two CCs to G.P. for Prohibition & Excise, High Court

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